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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, MARIELA
GONZÁLEZ, FREDDY JOSE ARAPE RIVAS,
M.H., CECILIA DANIELA GONZÁLEZ
HERRERA, ALBA CECILIA PURICA
HERNÁNDEZ, E.R., and HENDRINA
VIVAS CASTILLO,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security, UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY, and UNITED STATES OF
AMERICA,

Defendants.

Case No. 25-cv-1766

**DECLARATION OF LAURA GUERRERO
IN SUPPORT OF PLAINTIFFS' MOTION
TO POSTPONE EFFECTIVE DATE OF
AGENCY ACTION**

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DECLARATION OF LAURA GUERRERO

I, Laura Guerrero, declare:

1. I have personal knowledge of the facts set forth in this declaration. If called upon to testify as a witness, I could do so and would testify to these facts.

2. I have lived in the United States since 2016, and I first applied for Temporary Protected Status (TPS) in 2021. My husband and daughters (aged 18 and 10), are also TPS beneficiaries. As a result of the decision by Secretary of Homeland Security Kristi Noem to vacate the prior DHS extension of TPS for Venezuela, TPS for myself, my husband, and our two daughters is now expected to expire in September 2025.

3. I am a member of the National TPS Alliance, and joined voluntarily because I believe in the mission of the organization.

4. I am submitting this declaration to describe the harm my family and I have suffered since the announcement of the vacatur of the extension of TPS for Venezuela, and the harm we would suffer if TPS is ultimately terminated.

Background

5. I am from Venezuela, and I have been in the United States since 2016, when I arrived with my family on a tourist visa. I am trained as an intellectual property lawyer in Venezuela, and worked for over 12 years with the state-owned oil company. Because of my opposition to the government while employed by the government, I was kidnapped. Soon after, my family and I left the country.

6. One month after arriving in the United States, I applied for asylum affirmatively. Between 2016 until I was granted TPS in 2021, I only had a pending asylum application but no immigration status. For the nine years that my asylum application has been pending, there has been no action on it. I have not even had an interview.

7. My husband and daughters, C. and E., are derivatives on my asylum application. My husband works as a sales representative for a wine distribution company.

8. C. arrived in the United States when she was only about nine years old. Now C. is a vocal jazz singer in her first year of college at Berklee College of Music, in Boston,

1 Massachusetts, which she attends on a full scholarship.

2 9. Our younger daughter E. is ten years old, and in the fifth grade. She arrived
3 in the United States when she was only two years old; this is the only country that she has
4 ever known. She loves to dance, and recently was accepted to a selective middle and high
5 school for the arts for which she had to audition. I am not sure how both of my daughters
6 are artists; they have such natural skills in that arena that my husband and I lack. I only
7 hope that we will continue to be able to support them to achieve their dreams.

8 10. I work remotely for the University of Pittsburgh as an intellectual property
9 assistant.

10 11. My husband and I bought a house together for our family in 2020. We live
11 there with our younger daughter, E., now that my older daughter has moved to Boston to
12 pursue higher education.

13 12. All of my immediate family is in in the United States and with permanent
14 status. My brother, a transplant surgeon, won the diversity visa lottery and has lived in the
15 United States since 2013, with his two daughters, aged 22 and 24. My sister was resettled
16 here as a refugee in 2022, and now lives in Houston with her husband. My mother is also
17 here with a green card, after my brother petitioned for her adjustment, and they live
18 together in Orlando, Florida.

19 **Impact of Temporary Protected Status**

20 13. My husband, 18-year-old daughter C., 10-year-old daughter E., and I are
21 TPS recipients, having registered under the 2021 Venezuela designation.

22 14. Before I had TPS, when I only had my pending asylum claim, I was always
23 fearful that my asylum application would be denied and I would be immediately at risk of
24 deportation. This lack of status was also challenging for me in other ways. For example, I
25 was deprived of the chance to apply for government jobs – for instance clerical jobs with
26 the court – when I only had a pending asylum claim, because my pending asylum
27 application was not considered a legal status. Once I got TPS, that changed. In my current
28 job, I had to produce my TPS documentation in order to be able to access and maintain my

1 employment.

2 15. My daughter C. was able to get financial aid—a full scholarship—to college
3 only as a result of her TPS. She would not have been able to get financial aid, and we
4 would not have been able to afford her studies, without her TPS. She would not have been
5 eligible for financial aid with only a pending asylum application. I don't think that C.
6 really understood the significance of her vulnerable immigration status until she was
7 applying for college, when she was asked many times—in college applications and
8 through the financial aid process—to show proof of her legal status, and she had to reckon
9 with what this meant.

10 **Impact of the Decision to Terminate TPS**

11 16. I know that the writing is on the wall for those protected by the 2021
12 Venezuela designation, like me and my family. I expect that DHS will make the same
13 decision for us that was made for those protected by the 2023 designation, and that we will
14 lose our status in September of this year.

15 17. I don't know what I would do if TPS were terminated. I cannot safely return
16 to Venezuela. I have no family there anymore; all of my family is here. I truly cannot
17 imagine what I would do.

18 18. I started to become very stressed and anxious about my legal status in around
19 August 2024 because of how President Trump, when he was a candidate, was talking about
20 what he was going to do with regard to immigration and TPS. And then after all the
21 executive orders of the earliest days of the Trump administration, and the vacatur of the
22 January extension of TPS for Venezuela, and then the ultimate termination of the 2023
23 Venezuela TPS designation, I became terrified. Since then my husband and I have been
24 talking, and crying, about it every day. I have tremendous anxiety, and have even felt panic
25 attacks. Every day, and every story that I hear, seems worse than the last.

26 19. I have also become terrified for my daughter's safety in Boston, where she is
27 studying and lives by herself, because of the anti-immigrant sentiment that seems to be
28 everywhere now. I am worried about her all the time. I have told her not to speak Spanish

1 in the street; I cannot believe that I felt that I had to tell her that. It causes me tremendous
2 pain that I have so much anxiety, and that I am transmitting it to her; and that I am telling
3 her she should have to hide a part of her identity. I have also told her that she needs to
4 bring her immigration papers with her all the time as I am fearful that she will be stopped
5 on the street by an ICE agent.

6 20. I didn't feel such fear and anxiety until TPS was terminated for Venezuelans.
7 Now I feel like I am at risk of being without a status again very soon. While I still have the
8 asylum application, I know from experience that people do not treat a pending asylum
9 application as a form of immigration status. I also never know if or when my asylum
10 application could be denied.

11 21. I am afraid that I will lose my job if I lose my TPS. My boss has also been
12 asking me whether there is somewhere else I would move to. I can't believe that I am even
13 thinking about that question—nearly a decade after living in the United States and with my
14 asylum application long pending. *This* was supposed to be my safe place.

15 22. Losing TPS would also be catastrophic for my daughter. She would be
16 unable to access scholarships and financial aid with only a pending asylum claim. With
17 TPS, however, she benefits from a full scholarship to Berklee. Without it, we would not be
18 able to afford her education. This would jeopardize not only her education, but also her
19 career. She has a tremendous opportunity, enrolled at one of the top music schools in the
20 country, and it pains me tremendously to think that is at risk.

21 23. My younger daughter E. doesn't really understand about TPS and our
22 vulnerable immigration status. In January, around the time of President Trump's
23 inauguration and the termination of TPS for Venezuela, she was subject to bullying and
24 abuse at school as a migrant. Around the same time, some of her friends were trying to
25 reassure her and told her she would be fine because she only needed a green card to stay.
26 She came home crying, knowing that she did not have a green card. I know she is also
27 really affected by the stress that my husband and I are under since the announcement of the
28 end of TPS for Venezuela.

1 24. In addition to all of this, I believe we would lose our house if the TPS
2 termination goes in to effect, as we could not afford to pay the mortgage on our home
3 without our valid work authorization.

4 25. We have many family and friends who have TPS, and have been very
5 negatively affected by the decision of DHS Secretary Noem to terminate it. My nieces'
6 boyfriends and their family members have TPS, for example, as do so many other friends
7 of ours.

8 26. I feel I am living the trauma and fear that I lived in Venezuela all over again.
9 I can't believe that now Venezuelans are being made a target. The highest ranking
10 government officials are saying on national television and social media that Venezuelans
11 are criminals and associated with the Tren de Aragua gang, even though of course we have
12 nothing to do with that gang. I am constantly shocked by these statements. I can't
13 understand why high-level government officials could not distinguish between the
14 hundreds of thousands of law-abiding Venezuelans who are living in the United States
15 because they fled a country in crisis, and the small numbers of people who are part of this
16 gang. I know that there are individual Americans who commit heinous crimes, but I would
17 never think of categorizing all Americans as responsible for the actions of a few. I also see
18 that they have been targeting TPS as a program, which is painful, as it is a program that so
19 many of us depend on when we cannot return to our countries.

20 27. I declare under penalty of perjury that the foregoing is true and correct, and
21 that this declaration was executed in Orlando, Florida this 17th day of February, 2025.

22
23 
24 Laura Guerrero